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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 34—APPOINTMENT, COMPENSATION, AND REMOVAL OF HEARING EXAMINERS

Section 34.1 (12 F. R. 3507) is hereby revoked. Effective upon publication in the FEDERAL REGISTER, the following regulations governing the appointment, compensation, and removal of hearing examiners are issued as Part 34:

- Sec.
- 34.1 Coverage.
- 34.2 Definitions.
- 34.3 Appointment of incumbents.
- 34.4 Appointments.
- 34.5 Promotion, reassignment, and transfer.
- 34.6 Reinstatement and restoration.
- 34.7 Compensation.
- 34.8 Efficiency ratings.
- 34.9 Rotation of examiners.
- 34.10 Utilization of examiners of other agencies.
- 34.11 Separations.
- 34.12 Reductions in force.

AUTHORITY: §§ 34.1 to 34.12, inclusive, issued under sec. 11, 60 Stat. 244; 5 U. S. C. Sup. 1010.

§ 34.1 *Coverage.* (a) The regulations in this part shall be applicable to persons appointed under section 11 of the Administrative Procedure Act for proceedings pursuant to sections 7 and 8 of that act, and to hearing examiner positions.

(b) Except as otherwise provided in the regulations in this part, the rules and regulations applicable to positions in the competitive service shall apply to hearing examiner positions.

§ 34.2 *Definitions.* — (a) *Agency.* Agency means an agency subject to the Administrative Procedure Act as defined in that act.

(b) *Competitive service.* Competitive service shall have the same meaning as the words "classified service," or "classified (competitive) service," or "classified civil service" as defined in existing statutes and Executive orders. The competitive service shall include all civilian positions in the executive branch of the Government unless specifically excepted therefrom under statute or Executive order, and all positions in the legislative and judicial branches, and of

the District of Columbia Government which are specifically made subject thereto by statute. Persons occupying such positions shall be considered as being in the competitive service when they have a competitive status.

(c) *Competitive status.* Competitive status means a status which permits a person to be promoted, transferred, re-assigned, and reinstated to positions in the competitive service without competitive examination, subject to the conditions prescribed by the Civil Service rules and regulations for such noncompetitive actions. A competitive status is acquired by probational appointment through competitive examination, or may be granted by statute, Executive order, or the Civil Service rules.

(d) *Demotion.* Demotion means a change from one position to another position of lower grade or lower minimum salary while serving continuously within the same agency.

(e) *Excepted appointment.* An excepted appointment is an appointment, without regard to the competitive requirements of the Civil Service rules and regulations, under authority of Schedule A, Schedule B, act of Congress, or Executive order, to a position which is excepted from the competitive service under such authority.

(f) *Hearing examiner position.* A hearing examiner position is one in which any portion of the duties includes those prescribed by the Administrative Procedure Act for presiding officers appointed under section 11 thereof. Decision within the Commission as to whether or not a particular position is a hearing examiner position when presented for allocation shall be made by the Commission's Personnel Classification Division.

(g) *Promotion.* Promotion means a change from one position to another position of higher grade or higher minimum salary while serving continuously within the same agency.

(h) *Reassignment.* Reassignment means a change, without promotion or demotion, from one position to another position in a different line of work (such as from clerk to stenographer, chauffeur to guard, etc.) or in the same line of work (such as from clerk-searcher to clerk-recorder) or in service (such as

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¹ P. L. O. 409.

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subprofessional to clerical, administrative and fiscal) while serving continuously within the same agency.

(i) *Reinstatement.* Reemployment authorized under Part 7 of the Commission's regulations on the basis of the appointee's competitive status after a separation from the service.

(j) *Removal.* As used in the regulations in this part, removal means any involuntary change in the status of a hearing examiner, including demotion, promotion, reassignment, removal, and suspension as defined in §4.301 of this chapter.

(k) *Schedule A.* A list of positions which are excepted from the competitive service and which may be filled without examination by the Commission.

(l) *Schedule B.* A list of positions which are excepted from the competitive

service and which may be filled upon noncompetitive examination by the Commission.

(m) *Suspension.* Suspension means a temporary non-pay status and absence from duty required by the appointing officer for disciplinary reasons, or for other reasons, pending inquiry.

(n) *Transfer.* Transfer means a change of position during continuous Federal service, without a break of one work day, from one agency to another, or within the same agency from one official headquarters to another, or from one organizational unit to another.

(o) *Veteran.* Veteran means a person entitled to preference under the Veterans' Preference Act of 1944, including a person entitled to wife or widow preference under that act.

(p) *War service appointment.* A war service appointment is an appointment made for the duration of the war and six months thereafter under the war service regulations issued by the Commission pursuant to Executive Order No. 9063, of February 16, 1942, as amended, and in effect from March 16, 1942, to March 7, 1946.

§ 34.3 *Appointment of incumbents—*
(a) *Incumbents with competitive status.* Persons who were serving in positions that became hearing examiner positions on June 11, 1947, who have a competitive status and who were conditionally appointed to hearing examiner positions on June 11, 1947, may be given absolute appointments as hearing examiners, with the prior approval of the Commission, if they are found by the Commission to be qualified and competent to perform the duties of hearing examiners.

(b) *Incumbents without competitive status—*(1) *Temporary or war service appointees.* Persons who were serving under a temporary or war service appointment in positions that became hearing examiner positions on June 11, 1947, must compete in the open competitive examination in order to qualify for an absolute appointment as a hearing examiner. Incumbents of this category who were given a conditional appointment on June 11, 1947, may be continued under such appointment until such time as a register is established.

(2) *Excepted appointees.* (i) Persons who were serving under an excepted appointment made prior to December 11, 1946, in positions that became hearing examiner positions on June 11, 1947, and who were conditionally appointed to hearing examiner positions on June 11, 1947, may acquire a competitive status in accordance with Civil Service Rule III and the Commission's regulations thereunder (Part 3 of this chapter)

(ii) Persons who were serving under an excepted appointment made subsequent to December 11, 1946, in positions that became hearing examiner positions on June 11, 1947, must compete in the open competitive examination in order to qualify for an absolute appointment as hearing examiners. Pending establishment of a register, incumbents of this category who were given a conditional appointment on June 11, 1947, may be continued under such appointment.

§ 34.4 *Appointments.* Except as otherwise provided in the regulations in this part, the regulations for appointment to the competitive system (Part 2 of this chapter) shall apply to appointments to hearing examiner positions: *Provided*, That in view of the responsibility placed upon the Commission by section 11 of the Administrative Procedure Act of passing upon the qualifications and competency of persons appointed as hearing examiners, no appointment whatsoever, except one made by selection from a certificate of eligibles furnished by the Commission, shall be made without the prior approval of the Commission: *Provided further*, That pursuant to section 11 of the Administrative Procedure Act, which provides for the removal of hearing examiners only for good cause determined by the Commission after opportunity for a hearing and upon the basis of the record thereof, no probationary period shall be required in appointments to hearing examiner positions.

§ 34.5 *Promotion, reassignment, and transfer—*(a) *From a hearing examiner position.* (1) When an agency desires to fill a vacancy in a hearing examiner position by the promotion of one of its staff of hearing examiners, the Commission, upon request, will certify the names of three hearing examiners of the agency who are qualified for promotion, and promotion shall be made only by selection from this certificate. For this purpose the Commission will maintain registers of the hearing examiners of each agency. The qualifications of each hearing examiner for a hearing examiner position in his agency of the next grade higher than the one he occupies will be rated in accordance with the experience and training requirements of the open competitive examination (except the maximum age requirement) and his name will be placed on the register in accordance with this rating. Between March 1 and April 30 of each year any hearing examiner may file with the Commission a report of the nature and type of duties he has been performing during the preceding year. The experience claimed, when substantiated to the Commission's satisfaction, will be rated and the prior rating of the hearing examiner will be adjusted accordingly. Where it appears necessary to the Commission, an investigation of character and suitability and an oral interview may also be required.

(2) When an agency desires to fill a vacancy in a hearing examiner position by the reassignment of one of its staff of hearing examiners, or by the transfer of a hearing examiner, it shall submit the name of the hearing examiner to the Commission. The Commission will rate the qualifications of the hearing examiner for the position to which reassignment or transfer is proposed in accordance with the experience and training requirements of the open competitive examination (except the maximum age requirement) and will place his name on the register of agency examiners that has been established under subparagraph (1) of this paragraph, if such a register exists for the position. The reassignment or transfer will be authorized only

if the name of the hearing examiner proposed for reassignment or transfer is within reach for certification from this register. Where no agency register is in existence, reassignment or transfer may be authorized if the qualifications of the hearing examiner are approved by the Commission. Where it appears necessary to the Commission, an investigation of character and suitability and an oral interview may also be required.

(b) *From a position other than a hearing examiner position.* (1) When an agency desires to fill a vacancy in a hearing examiner position by the promotion, reassignment, or transfer of an employee who has a competitive status and is serving in a position other than a hearing examiner position, it shall submit the name of the person to the Commission, together with an application form executed by him. The Commission will rate the qualifications of the applicant in accordance with the experience and training requirements of the open competitive examination (except the maximum age requirement) including an investigation of character and suitability and an oral interview. The name of the person proposed will be entered on the open competitive register in accordance with the rating received. If his name is then within reach for certification, the Commission will approve the promotion, reassignment, or transfer; otherwise it will disapprove the request.

(2) An employee without competitive status, serving in a position other than a hearing examiner position, may be appointed to a hearing examiner position only after competition in the open competitive examination and upon certification by the Commission from the open competitive register.

§ 34.6 *Reinstatement and restoration.* (a) When an agency desires to fill a vacancy in a hearing examiner position by reinstatement of a person who has a reinstatement status and who formerly served as a hearing examiner under the provisions of the Administrative Procedure Act, it shall submit the name of the person proposed for reinstatement to the Commission. When the position is of a higher grade than the one in which the person proposed for reinstatement formerly served or is in a different agency, the Commission will rate the qualifications of the applicant for the position for which reinstatement is proposed in accordance with the experience and training requirements of the open competitive examination (except the maximum age requirement), and will place his name on the register of agency examiners that has been established under § 34.5 (a) (1) if such a register exists. The reinstatement will be authorized only if the name of the person proposed for reinstatement is within reach for certification from this register. Where no agency register is in existence or where reinstatement is proposed to a position in the same agency and at the same grade in which the examiner formerly served under the provisions of the Administrative Procedure Act, the reinstatement may be authorized if the qualifications of the person proposed are approved by the

Commission. Where it appears necessary to the Commission, an investigation of character and suitability and an oral interview may also be required.

(b) When an agency desires to fill a hearing examiner position by the reinstatement of a person who has a reinstatement status and who formerly served in a position other than a hearing examiner position under the Administrative Procedure Act, it shall submit the name of the person to the Commission, together with an application form executed by him. The Commission will rate the qualifications of the applicant in accordance with the experience and training requirements of the open competitive examination (except the maximum age requirement) including an investigation of character and suitability and an oral interview. The name of the person proposed will be entered on the open competitive register in accordance with the rating received. If his name is then within reach for certification, the Commission will approve the reinstatement; otherwise it will disapprove the request.

(c) The regulations in Part 10 of this chapter governing reemployment after war transfer, and restoration after military service shall apply to reemployment and restoration to hearing examiner positions. Persons applying for reemployment or restoration shall have the same status on the date of application for reemployment or restoration as they would have had under § 34.3 if they were serving in positions that became hearing examiner positions on June 11, 1947, and shall be required to qualify for absolute appointment in the manner prescribed by that section.

§ 34.7 *Compensation.* (a) Hearing examiner positions shall be allocated by the Commission in accordance with the regulations and procedures adopted by the Commission for allocations under the Classification Act of 1923, as amended: *Provided*, That allocations shall be made independently of agency recommendations and ratings.

(b) Hearing examiners shall receive within grade salary advancements in accordance with Part 25 of this chapter; *Provided*, That the requirements of a good or better than good efficiency rating and of certification by the head of the agency as to satisfactory service and conduct shall not apply.

§ 34.8 *Efficiency ratings.* Agencies shall not rate the efficiency of hearing examiners.

§ 34.9 *Rotation of examiners.* Insofar as practicable, examiners shall be assigned in rotation to cases of the level of difficulty and importance that are normally assigned to positions of the salary grade they hold.

§ 34.10 *Utilization of examiners of other agencies.* (a) At the request of agencies occasionally or temporarily insufficiently staffed, the Commission will arrange, if possible, for the temporary utilization by those agencies of the services of hearing examiners of other agencies.

(b) Agencies, by agreement between themselves, may arrange for the temporary utilization by one agency of a

hearing examiner or hearing examiners of another agency. Such agreements must have the prior approval of the Commission before being put into effect.

§ 34.11 *Separations—(a) Removals.* Agencies shall initiate removal proceedings against a hearing examiner by filing with the Commission, attention Chief Law Officer, a complaint which shall set forth specifically and in detail the facts that are alleged to constitute good cause for the hearing examiner's removal. The Commission will thereupon arrange for a hearing to be held on the questions involved and will decide whether or not the removal is justifiable on the basis of the record of the hearing.

(b) *Furlough.* In exceptional cases where there are circumstances by reason of which the retention of a hearing examiner in his position, pending adjudication of the existence of good cause for his removal, would be detrimental to the interests of the Government, agencies shall either (1) assign the hearing examiner to duties in which these conditions would not exist, (2) place him on annual leave for the period that will be covered by the annual leave to his credit, or (3) furlough him. Action under this paragraph may be taken only with the prior approval of the Commission.

(c) *Dismissals at request of Commission.* The procedures in this part governing the removal of hearing examiners shall not apply in making dismissals requested by the Commission under § 5.4 of the Civil Service Rules (E. O. 9830, Part II, 12 F. R. 1259, 1263)

§ 34.12 *Reductions in force—(a) Retention credits.* Retention credits for purposes of reductions in the force of hearing examiners are credits for length of service in determining retention order in each retention subgroup. They are computed by allowing one point for each full year of Federal Government service.

(b) *Retention preference, classification.* For the purpose of determining relative retention preference in reduction in force, hearing examiners shall be classified according to tenure of employment in competitive retention groups and subgroups in the manner prescribed in § 20.3 of the Retention Preference Regulations for Use in Reductions in Force (Part 20 of this chapter) *Provided*, That no distinction will be made in subgroups on the basis of a good or better efficiency rating as opposed to efficiency ratings of less than good.

(c) *Status of hearing examiners who are reached in reduction in force.* When a hearing examiner has been separated, furloughed, or reduced in rank or compensation because of a reduction in force, his name shall be placed at the top of the agency promotion register and of the open competitive register for the grade in which he formerly served and for all lower grades. Where more than one hearing examiner is affected, the qualifications of the several hearing examiners shall be rated by the Commission and relative standing at the top of the registers will be on the basis of these ratings.

(d) *Appeals.* (1) Any hearing examiner who feels that there has been a

violation of his rights under the regulations governing reductions in force may appeal to the Commission (attention, Chief Law Officer) within 10 days from the date he received his notice of the action to be taken.

(2) Each appeal shall state clearly the grounds on which it is based, whether error in the records; violation of the rule of selection; restriction of the competitive area or level; disregard of a specified right under the law or regulations; or denial of the right to examine the regulations, retention register, or records.

(3) The agency in which the hearing examiner is employed shall be notified of the appeal and shall be allowed to file an answer thereto.

(e) *Retention preference regulations.* The Retention Preference Regulations For Use In Reductions In Force (Part 20 of this chapter) except as modified by this section, shall apply to reductions in the force of hearing examiners.

UNITED STATES CIVIL SERVICE COMMISSION,
HARRY B. MITCHELL,
President.

[F. R. Doc. 47-8601; Filed, Sept. 22, 1947; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

U. S. STANDARDS FOR CANNED DRIED BEANS¹

On December 3, 1946, notice of proposed rule making was published in the FEDERAL REGISTER (11 F. R. 14054) regarding the proposed revision of United States Standards for Grades of Canned Dried Beans. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Canned Dried Beans are hereby promulgated under the authority contained in the Department of Agriculture Appropriation Act of 1948 (Pub. Law 266, 80th Cong., 1st Sess., approved July 30, 1947)

§ 52.162 *Canned dried beans.* Canned dried beans are prepared from the matured seeds of varieties of beans (sometimes called "peas") used for canning, but not including soy-beans; and may be prepared by washing, soaking, blanching, or other processing; may be packed with or without the addition of water, spices, spice oils, spice flavorings, salt, coloring agents, thickening ingredients, sweetening ingredients, tomato products, pork or pork products, and meat or meat products; and are sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

¹ The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(a) *Types of canned dried beans.* (1) White beans. (2) Lima beans. (3) Red beans. (4) Black-eye beans or black-eye peas. (5) Beans or "peas" of other colors or types.

(b) *Styles of packs of canned dried beans.* Canned dried beans are usually packed in the following styles:

(1) *In tomato sauce.* This style of pack contains tomato pulp or tomato puree or a similar tomato product in the packing medium with or without any one or more of the following: sweetening ingredients, salt, thickening ingredients, coloring agents, and spices or other flavorings. Variations of this style are:

(i) In tomato sauce with pork or pork product.

(ii) In tomato sauce with meat or meat product.

(2) *In sweetened sauce.* This style of pack contains sweetening ingredients in the packing medium with or without any one or more of the following: Salt, thickening ingredients, coloring agents, spices or other flavorings, and molasses. Variations of this style are:

(i) In sweetened sauce with pork or pork product.

(ii) In sweetened sauce with meat or meat product.

(3) *In brine.* This style of pack contains water and salt in the packing medium with or without any one or more of the following: spices or other flavorings, and thickening ingredients.

(c) *Grades of canned dried beans.*

(1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned dried beans that possess similar varietal characteristics; are practically free from defects; possess a good character; possess a good typical color; possess a reasonably rich, typical and normal flavor; and are of such quality with respect to consistency that the total score is not less than 85 points when scored in accordance with the scoring system outlined herein.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned dried beans that possess similar varietal characteristics; possess a fairly good consistency; are fairly free from defects; possess a fairly good character; possess a good typical color; possess a typical and normal flavor; and score not less than 70 points when scored in accordance with the scoring system outlined herein.

(3) "U. S. Grade D" or "Substandard" is the quality of canned dried beans that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(d) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container of canned dried beans be filled with canned dried beans as full as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the volume capacity of the container.

(e) *Ascertaining the grade.* The grade of canned dried beans may be ascertained by considering, in addition to the requirements of the respective grade, the following factors: Consistency, absence of defects, and character. The rel-

ative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given for each factor is:

	Points
(1) Consistency	20
(2) Absence of defects	40
(3) Character	40
Total score	100

(f) *Ascertaining the rating of each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, the range "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Consistency.* (i) Canned dried beans that possess a good consistency may be given a score of 17 to 20 points. "Good consistency" has the following meaning for the respective style of canned dried beans when they are emptied on a flat surface:

(a) *In tomato sauce and in sweetened sauce.* The sauce is smooth and is neither grainy nor lumpy and the product forms a slightly mounded mass of beans and packing medium with not more than a slight separation of liquid.

(b) *In brine.* The packing medium is neither grainy nor lumpy and the product may possess a thick consistency or a consistency in which there is a separation of liquid.

(ii) If the canned dried beans possess a fairly good consistency, a score of 14 to 16 points may be given. "Fairly good consistency" has the following meaning for the respective style of canned dried beans when they are emptied on a flat surface:

(a) *In tomato sauce and in sweetened sauce.* The sauce is fairly smooth and may be slightly grainy but is not lumpy and the product possesses a thick consistency with practically no separation of liquid or with a moderate separation of liquid but does not possess a watery consistency.

(b) *In brine.* The packing medium is fairly smooth and may be slightly grainy but is not lumpy and the product may possess a consistency in which there is considerable separation of liquid or may possess a watery consistency.

(iii) Canned dried beans that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from extraneous material, from loose skins, from broken and mashed units, and from damaged units.

(i) A "unit" means two cotyledons and a skin, or portions thereof, whether or not attached or combined as a whole bean. A single whole skin or pieces of loose skin aggregating the equivalent of a whole skin will be considered as one-third of a unit. A cotyledon or portions of cotyledons aggregating the equivalent of a cotyledon will be considered as one-third of a unit.

(ii) "Loose skins" means skins or portions of skins which have become separated wholly from the cotyledons.

(iii) A "broken unit" means a bean from which either cotyledon, or portions thereof, has become detached and any such parts of the bean that have become separated from the whole bean.

(iv) "Mashed units" means beans that are crushed or flattened to the extent that their appearance is seriously affected.

(v) "Damaged unit" means any unit that is (a) spotted, discolored, or otherwise damaged to such an extent that its appearance or edibility is materially affected, or (b) affected by pathological, insect, or similar type injury regardless of the area affected. Beans that possess characteristic darkening around the hilum are not considered damaged units.

(vi) Canned dried beans that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that no extraneous material is present, and, of the units:

(a) Not more than 5 percent, by count, may be loose skins and broken and mashed units; and

(b) Not more than 4 percent, by count, may be damaged units.

(vii) If the canned dried beans are fairly free from defects, a score of 28 to 33 points may be given. Canned dried beans that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that there may be present not more than 1 small piece of harmless extraneous material for each 20 ounces of net weight, and, of the units:

(a) Not more than 10 percent, by count, may be loose skins and broken and mashed units; and

(b) Not more than 8 percent, by count, may be damaged units.

(viii) Canned dried beans that fail to meet the requirements of subdivision (vii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Character.* (i) Canned dried beans that possess a good character may be given a score of 34 to 40 points. "Good character" means the beans possess a texture that is typical, that may be slightly granular or slightly firm, and that the skins are tender.

(ii) If the canned dried beans possess a fairly good character, a score of 28 to 33 points may be given. Canned dried beans that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the beans possess a fairly good typical texture, that the beans may be firm but are not markedly hard, that the beans may be soft but are not mushy, and that the skins may be slightly tough.

(iii) Canned dried beans that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(g) *Explanation of terms.* (1) "Similar varietal characteristics" means that the beans are alike in shape, color, and general characteristics.

(2) "Good typical color" means (i) that the beans possess a color distinctly characteristic of the type of canned dried beans; and (ii) that the surrounding sauce or brine possesses a color distinctly characteristic for the style of pack.

(3) "Reasonably rich, typical and normal flavor" means a flavor that is indicative of good-flavored ingredients for the respective type and style of pack, and the canned dried beans are free from objectionable flavors or objectionable odors of any kind.

(4) "Typical and normal flavor" means a flavor that is indicative of a product slightly lacking in good-flavored ingredients for the respective type and style of pack, and the canned dried beans are free from objectionable flavors or objectionable odors of any kind.

(h) *Tolerance for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned dried beans, the grade for such lot will be determined by averaging the total scores of all containers, if:

(i) Not more than one-sixth of the containers comprising the sample fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(i) *Score sheet for canned dried beans.*

Container size.....		
Container code or identification.....		
Label.....		
Net weight (in ounces).....		
Vacuum (in inches).....		
Type.....		
Style of pack.....		
<hr/>		
Factors	Score	Points
I. Consistency.....	20	(A) 17-20 (C) 14-16 (D) 10-13
II. Absence of defects.....	40	(A) 34-40 (C) 28-33 (D) 10-27
III. Character.....	40	(A) 34-40 (C) 28-33 (D) 10-27
Total score.....	100	
<hr/>		
Color.....		
Flavor.....		
Grade.....		

¹ Indicates limiting rule within classification.

(j) *Effective time and supersedure.* The United States Standards for Grades

of Canned Dried Beans (which are the second issue) contained in this section shall become effective thirty days after publication of these standards in the FEDERAL REGISTER and shall thereupon supersede the standards that have been in effect since January 10, 1934.

(Pub. Law 266, 80th Cong.)

Issued at Washington, D. C., this 17th day of September 1947.

[SEAL] RALPH S. TRIGG,
Acting Administrator Production and Marketing Administration.

[F. R. Doc. 47-8599; Filed, Sept. 22, 1947; 8:48 a. m.]

TITLE 10—ARMY WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

REVOCATION OF WITHDRAWAL OF CERTAIN PUBLIC LANDS FOR WAR DEPARTMENT USE

CROSS REFERENCE: For order affecting the tabulation contained in § 501.1, see Public Land Order 409 under Title 43, *infra*, revoking in part Public Land Order 126, which withdraw public lands for use of the War Department as an aerial gunnery range.

TITLE 29—LABOR

Chapter XII—Federal Mediation and Conciliation Service

PART 1405—GENERAL REGULATIONS OF THE SERVICE

Pursuant to section 3 (c) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d sess.) and section 202 (Pub. Law 101, 80th Cong., 1st sess.) Chapter XII, Part 1405 of the Code of Federal Regulations is added as follows:

Sec.
1405.1 Records; withdrawal, inspection and copies.
1405.2 Compliance with subpoenas.

§ 1405.1 *Records; withdrawal, inspection and copies.*—(a) *Withdrawal.* No report, letter, memorandum file or other document or paper in the official custody of the Service (hereinafter referred to in this order as "records") shall be taken, withdrawn or removed therefrom by any person not officially connected with the Service or any agent or representative of such person without the written consent of the Director.

(b) *Inspection and copies.* All records in the official custody of the Service are hereby declared to be confidential for good cause found. Inspection and the procurement of copies thereof, will be afforded only to persons who demonstrate a material and justifiable interest therein not prejudicial to the public interest as determined by the Director. Applications for inspection or the procurement of copies thereof should be made to the

Director, under oath, setting forth the interest of the applicant and showing the reason why and the purpose for which the inspection or the copies of the records requested are desired. (Sec. 3, 60 Stat. 238, sec. 202, Pub. Law 101, 80th Cong., 5 U. S. C. Sup. 1002)

§ 1405.2 *Compliance with subpoenas.* No officer or employee or other person officially connected with the Service shall produce or present any records of the Service or testify in behalf of any party to any cause pending in any court or before any Board, Commission or other administrative agency of the United States or of any State, Territory, or the District of Columbia with respect to the facts, or other matter coming to his knowledge in his official capacity or with respect to the contents of any records of the Service, whether in answer to a subpoena, subpoena duces tecum or otherwise, without the written consent of the Director. Whenever any subpoena or subpoena duces tecum calling for records or testimony as described above shall have been served upon any such officer, employee or other person, he will, unless otherwise expressly directed by the Director, appear in answer thereto, and respectfully decline, by reason of this Order, to produce or present such records or to give such testimony. (Sec. 3, 60 Stat. 238, sec. 202 Pub. Law 101, 80th Cong., 5 U. S. C. Sup. 1002)

Signed at Washington, D. C., this 11th day of September 1947.

CYRUS S. CHING,
Director

[F. R. Doc. 47-8590; Filed, Sept. 22, 1947; 8:48 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter I—National Park Service, Department of the Interior

PART 2—GENERAL RULES AND REGULATIONS FEES AND AIRCRAFT

1. Section 2.55 *Fees*, is amended as follows:

a. Paragraph (k) *Fees for automobiles, motorcycles, and house trailer permits*, is amended by adding a new subparagraph (4) reading as follows:

(4) To promote the purpose of the act of May 2, 1932 (47 Stat. 145; 16 U. S. C. 161a) Canadian dollars tendered by Canadian visitors entering the United States section of Glacier National Park will be accepted at the official rate of exchange in payment of the foregoing entrance fees prescribed for the Park.

b. Subparagraph (2) paragraph (n) *Admission fees, miscellaneous*, is amended to read as follows:

(2) A fee of twenty-seven cents shall be charged each person entering the Cyclorama Building at Gettysburg National Military Park, except that no charge shall be made for children under 16 years of age or groups of school children 18 years of age or under when accompanied by adults assuming responsibility for their safety and orderly conduct.

2. Section 2.63 *Aircraft*, is amended as follows:

Paragraph (e) *Lake Mead Recreational Area, Arizona and Nevada*, is amended by adding new subparagraphs (3) and (4) reading as follows:

(3) Temple Bar landing strip located at approximate latitude 36 degrees north, approximate longitude 114 degrees 19 minutes west.

(4) Pierce's Ferry landing strip located at approximate latitude 36 degrees 03 minutes north, approximate longitude 114 degrees 05 minutes west.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3; E. O. 6166, June 10, 1933, as interpreted by E. O. 6288, July 28, 1933)

Issued this 10th day of September 1947.

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior

[F. R. Doc. 47-8586; Filed, Sept. 22, 1947;
8:47 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 14—DELIVERY SERVICE

APARTMENT-HOUSE MAIL RECEPTACLES

The following regulations are added to § 14.9 *Private boxes* as paragraph (e)

(e) (1) The delivery of mail in apartment houses, family hotels, residential flats, and business flats in residential areas containing three or more apartments having a common street entrance shall be contingent upon the installation and maintenance of United States mail receptacles, one for each apartment, including resident manager and janitor unless the management has arranged that the mail be delivered at the office or desk for distribution by its employees.

(2) (i) Postmasters shall take steps to inform themselves as to the proposed erection or remodeling of apartment houses. They shall inform builders and owners of the requirements of the regulations in this part and shall cause suitable inspection to be made for the purpose of seeing that receptacles of safe and durable construction are installed in conformity with the regulations in this part.

(ii) Apartment houses, family hotels, and flats, equipped with old-type mail receptacles, when remodeled shall be equipped with approved receptacles, and owners and managers must be urged to install such up-to-date and approved receptacles to assure more adequate protection of the mails of occupants.

(3) The receptacles shall be manufactured of material, of such substantial strength and thickness, as to render mail deposited therein reasonably safe.

(4) The receptacles shall be of sufficient capacity to receive long-letter mail 4½ inches in width and certain large and bulky magazines, unrolled as well as rolled, and they shall be so constructed and of such height or length and capacity that magazines 14¼ inches in length and 2½ inches in diameter, if rolled, may be deposited therein by the

carrier and removed therefrom by the tenants with facility.

(5) (i) Where it is necessary or desirable to install apartment-house mail receptacles in conjunction with a telephone unit of a standard size they may be placed in two tiers, or they may be installed in groups or batteries of less than eight if required for the proper arrangement of the groups in the two tiers. This applies only where it is desirable to install a telephone unit in connection with mail receptacles and does not apply to cases where the telephone unit is installed independently of mail receptacles. While there is no objection to combining these two services, the mail receptacles must be separated from the telephone or electrical unit. There is no objection to the use of electric push buttons in the flange of the face of the nests of apartment-house mail receptacles connecting with wires outside the mail receptacles, provided the push buttons may be removed from the outside and provided that in the repair of the wire connection with such push buttons it will not be necessary to remove the receptacles.

(ii) In installations in which telephone units are combined with mail-receptacle units, they should be so constructed that access to the telephone unit is not dependent on entering the mail receptacle, and the latter must not be accessible when the telephone unit is opened.

(6) (i) Where no telephone units are connected therewith the receptacles shall be arranged in groups, as many in each group as is consistent with safety, but in no case shall there be less than eight receptacles in a group, except where the number of apartments is less than eight or where the number of boxes cannot be evenly divided into multiples of eight.

(ii) Receptacles in apartment houses shall be located at points reasonably near the entrance in vestibules, halls, or lobbies adequately lighted, so as to afford the best protection to the mail and enable the carriers to read the addresses on mail and the names on boxes without undue strain on their eyes and without molestation by swinging or opening doors.

(7) (i) Each group shall be equipped with a master door or device on the opening of which the entire group of receptacles is accessible for the deposit of mail by carrier. The master door or device shall be secured by a master lock furnished by the Post Office Department for use so long as mail is delivered by letter carriers, the key of which lock shall be in the custody of postal employees. (See subparagraph 14.)

(ii) Architects, builders, and owners of apartment houses should arrange for the installations of boxes under such conditions as will permit the installation of the largest number of boxes with the smallest number of master locks.

(iii) Not more than two tiers of boxes may be installed. The receptacles shall be so placed that the center of the barrel of the master lock of the upper tier will not be more than 5½ feet from the floor, and the center of the barrel of the

master lock of the lower tier will not be less than 30 inches from the floor. If fastened to the wall with screws, round-head screws should be used.

(8) (i) Each individual receptacle shall be equipped with a door through which the mail may be removed from such receptacles by the holder. The doors of the several receptacles shall be secured by key locks or combination keyless locks. In case key locks are furnished, manufacturers shall make provisions for a sufficient number of key changes to prevent the opening of receptacles by the use of the key to any other receptacle in the same house and in the immediate locality. These locks must be securely fastened to the door or receptacle. Each lock should be clearly numbered on the back so that if key is lost a duplicate may be ordered by number. The lock number should also be clearly shown on the inside of the master door directly above the individual box to which it is attached.

(ii) Apartment-house managers shall maintain a record of key numbers furnished by manufacturers and jobbers relating the key number to the receptacle number so that when necessary, new keys may be ordered. Key numbers shall not be placed on the barrels of the locks, as it is thus possible for unauthorized persons to secure keys and gain access to the boxes. In the case of keyless locks, apartment-house managers should be instructed to keep a record of the combinations so that new tenants may be advised. These records of key numbers and combinations shall be kept in the custody of the manager himself or a trusted employee.

(9) In the face of each receptacle a slot 2 inches in length and one-eighth inch wide for the deposit of carrier and special delivery notices shall be provided.

(10) Mail receptacles shall be satisfactorily numbered or lettered in numerical or alphabetical sequence from left to right so as to enable the carrier to expeditiously deliver the mail.

(11) (i) Each receptacle shall be fitted with clasps or holders for placing a card on which shall be placed a list of the names of persons receiving mail through such receptacles. There is no objection to placing the holders for the lists of names on the outside of the receptacles instead of inside, but in such case the holders shall be wide enough for not less than three names, and shall be placed so that the carrier while in a standing position may easily read the names when the master door is open.

(ii) In all apartment houses where there are twenty-five or more receptacles, a complete directory, alphabetical by surname, of all persons receiving mail shall be maintained and kept corrected to date. The receptacle number and apartment number should always be the same, and the apartment number should appear on the right of the name on the directory. If, for any cause, the apartment number is different from the number on the receptacle, the receptacle number should appear on the left of the name in the directory. The same arrangement shall be followed where the apartments and receptacles

are either lettered or lettered and numbered.

(iii) The directory shall be prepared by the use of legible type in a suitable frame for protection purposes, and attached to the wall immediately above or to the side of the mail receptacles where it can be easily read. In all cases where an attendant, such as telephone operator, doorman, or elevator conductor, is on duty between the hours of 7 a. m. and 11 p. m. and mail is delivered to either approved apartment-house receptacles or in bulk for distribution by employees of the building, the directory may be kept in the custody of the employee on duty in the building so that it may be available for use by the carrier or special-delivery messenger on request.

(iv) Where an apartment house is divided into units with separate entrances and twenty-five or more receptacles are installed to the unit, a separate directory shall be provided for each unit. In addition, where mail is not generally addressed to specific units, a directory shall be kept at the main unit of the building, listing all persons receiving mail in the various units.

(12) (i) The owners or managers of buildings shall keep receptacles in good repair, and when apartment buildings are remodeled, mail receptacles in conformity with these regulations shall be installed.

(ii) Carriers shall report all cases where apartment houses are being remodeled and where mail boxes in apartment houses are not locked or out of repair.

(Form 3521, "Carriers' Report of Condition of Mail Receptacle," is to be used for this purpose.)

(iii) Upon receipt of a report of lack of repair or irregularity in the operation of apartment-house mail receptacles postmasters will have prompt investigation made, and direct what repairs must be made by and at the expense of the owners or managers. In order that there shall be no question as to the disposition or treatment of mail, repairs must be made only when a representative of the post office is present. It is unlawful for other than postal employees to open receptacles and expose mail.

(iv) Failure to keep boxes locked or in proper repair as directed by postmasters is sufficient justification for withholding delivery of mail therein and requiring the occupants of the apartments to call for their mail at the post office, if this action is believed advisable for safety reasons.

(v) Complaints of loss, theft, or injury of mail deposited by carrier in apartment-house mail receptacles, shall be investigated and where it is shown that some one has willfully or maliciously injured, defaced, or destroyed mail deposited in such mail receptacles or has willfully taken or stolen mail from such receptacles, suitable action shall be taken looking toward the prosecuting of the offender under section 198 of the United States Penal Code, as amended.

(13) Section 191 and section 198, as amended, of the United States Penal Code prescribe penalties for the wrongful possession of mail locks and the willful or malicious injury or destruction of

letter boxes and the theft of mail therefrom. Manufacturers are authorized to place on each installation of apartment-house mail receptacles the words "U. S. Mail" and a warning notice of these provisions of law. Manufacturers are also authorized to place inconspicuously on each installation their name and the words "Approved by the Postmaster General," where the designs have been approved by the Post Office Department.

(14) (i) Postmasters shall furnish inside letter-box arrow locks for use on master doors, upon request of owners or builders of apartment houses for attachment to mail receptacles when inspection discloses that such receptacles can be approved by the Department and are installed in conformity with these regulations. The locks shall be attached to the group of receptacles by the owner or builder of the apartment house or by his direction, under the supervision of a representative of the postmaster, who shall see that they are securely attached.

(ii) Postmasters shall make requisition on the Fourth Assistant, Division of Mail Equipment Shops, for a suitable supply of inside letter-box arrow locks when they find there is need for such locks and shall maintain a suitable reserve stock. Requisitions for locks should include a statement as to the number of keys required. Any locks that become defective or by reason of renovation of the building are no longer needed shall be returned to the postmaster. All delivering employees and all postmasters must see that such locks are properly accounted for when buildings are torn down or remodeled and that defective locks are recovered.

NOTE: The names of manufacturers of approved apartment-house mail receptacles may be procured on application to postmasters.

(R. S. 161, 396, sec. 1, 24 Stat. 355, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 151)

[SEAL]

J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 47-8591; Filed, Sept. 22, 1947;
8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

PART 162—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS

ARIZONA GRAZING DISTRICT NO. 2; NEVADA
GRAZING DISTRICT NO. 5

CROSS REFERENCE: For orders affecting the tabulation contained in § 162.1, see Public Land Order 409 under the Appendix to this chapter, *infra*, relating to Arizona Grazing District No. 2, and F. R. Doc. 47-8587 under Department of the Interior in the Notices section, *infra*, relating to Nevada Grazing District No. 5.

Appendix—Public Land Orders

[Public Land Order 409]

ARIZONA

REVOKING IN PART PUBLIC LAND ORDER NO. 126 OF MAY 20, 1943, WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN AERIAL GUNNERY RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 126 of May 20, 1943, withdrawing public lands for the use of the War Department as an aerial gunnery range, is hereby revoked so far as it affects the public lands in the hereinafter-described areas.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 126 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on November 18, 1947.

At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from November 18, 1947, to February 17, 1948, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. secs. 279-283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from October 30, 1947, to November 18, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on November 18, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on February 18, 1948, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from January 30, 1948, to February 18, 1948, inclusive, and all such applications, together with those presented at 10:00 a. m. on February 18, 1948, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the District Land Office, Phoenix, Arizona.

The lands affected by this order are the public lands in the following-described areas:

GILA AND SALT RIVER MERIDIAN

T. 13 N., R. 15 W.,
Secs. 2 to 10, inclusive;
Sec. 14, W $\frac{1}{2}$,
Secs. 15 to 22, inclusive;
Sec. 23, W $\frac{1}{2}$,
Secs. 26 to 35, inclusive.
T. 14 N., R. 15 W.,
Secs. 2 to 11, inclusive;
Secs. 14 to 23, inclusive; and
Secs. 26 to 35, inclusive.
T. 15 N., R. 15 W.,
Sec. 7, lots 2, 3, and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 17, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Secs. 18, 19, and 20;
Sec. 21, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 27, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Secs. 28 to 34, inclusive;
Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 12 N., R. 16 W.,
Secs. 1 to 18, inclusive.
Tps. 13 and 14 N., R. 16 W.,
T. 15 N., R. 16 W.,
Sec. 1, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 2 to 36, inclusive.
T. 16 N., R. 16 W.,
Sec. 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Secs. 6, 7, and 8;
Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 15, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
Secs. 16 to 21, inclusive;
Sec. 22, W $\frac{1}{2}$ and W $\frac{1}{2}$ E $\frac{1}{2}$,
Sec. 27, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 28 to 34, inclusive;
Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 16 $\frac{1}{2}$ N., R. 16 W.,
Sec. 31, lots 3 and 4, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 12 N., R. 17 W.,
Secs. 1 to 18, inclusive.
Tps. 13 to 16 N., R. 17 W.,
T. 16 $\frac{1}{2}$ N., R. 17 W.,
Secs. 19, 20, and 21;
Sec. 22, lot 4, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Secs. 27 to 35, inclusive;
Sec. 36, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$.
T. 17 N., R. 17 W.,
Secs. 6, 7, 18, and 19;
Sec. 20, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 27, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Secs. 29 to 34, inclusive;
Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 18 N., R. 17 W.,
Secs. 30 and 31.
T. 12 N., R. 18 W.,
Secs. 1 to 21, inclusive, and
Secs. 28 to 33, inclusive.
Tps. 13 to 16 N., R. 18 W.,
T. 16 $\frac{1}{2}$ N., R. 18 W.,
Sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
Secs. 20 to 36, inclusive.
T. 17 N., R. 18 W.,
Sec. 1, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
Sec. 13;
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 23, E $\frac{1}{2}$ E $\frac{1}{2}$,
Secs. 24 and 25;
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$,
Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 36.
T. 18 N., R. 18 W.,
Sec. 25, E $\frac{1}{2}$,
Sec. 36, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.
T. 12 N., R. 19 W.,
Secs. 1 to 4, inclusive;
Secs. 7 to 16, inclusive, and
Secs. 22 to 25, inclusive.
Tps. 13, 14, and 15 N., R. 19 W.,
T. 16 N., R. 19 W.,
Sec. 1;
Sec. 2, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Sec. 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
Sec. 7, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 8, S $\frac{1}{2}$,
Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$,
Secs. 10 to 36, inclusive.
T. 16 $\frac{1}{2}$ N., R. 19 W.,
Sec. 25, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 35, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 36, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$.
T. 13 N., R. 20 W.,
Secs. 1 to 5, inclusive;
Secs. 8 to 16, inclusive;
Sec. 17;
Sec. 20, lots 1, 2, 4, and E $\frac{1}{2}$ NE $\frac{1}{4}$,
Secs. 21 to 26, inclusive;
Sec. 36.
Tps. 14 and 15 N., R. 20 W.,
T. 16 N., R. 20 W.,
Sec. 7, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 8, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 9, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 10, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 11, S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 12, S $\frac{1}{2}$ S $\frac{1}{2}$,
Secs. 13 to 36, inclusive.
Tps. 14 and 15 N., R. 20 $\frac{1}{2}$ W.,
T. 16 N., R. 20 $\frac{1}{2}$ W.,
Sec. 10, lots 2, 3, and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 11, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Sec. 12, S $\frac{1}{2}$,
Secs. 13, 14, and 15;
Secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

The areas described, including both public and non-public lands, aggregate 577,554.21 acres.

Portions of the lands are subject to (1) the reservation for power purposes made May 5, 1922, under section 24 of the act of June 10, 1920, as amended, c. 283, 41 Stat. 1075 (U. S. C., title 16, sec. 813) in connection with Federal Power Project No. 30, (2) Power Site Classification-No. 55 approved by the Secretary of the Interior June 22, 1923, (3) the withdrawal made by Executive Order No. 8347 of January 22, 1941, establishing the Havasu Lake National Wildlife Refuge, (4) the order of March 6, 1936, of the Secretary of the Interior, establishing Arizona Grazing District No. 2, and (5) the orders of January 21, 1903, September 8, 1903, July 8, 1919, and October 16, 1931, of the Secretary of the Interior, withdrawing certain lands for reclamation purposes.

Available information indicates that the greater portion of the lands are rough and mountainous with a rocky soil. However, the central portion includes an extensive, nearly level mesa having sandy and sandy clay soils. Vegetation is of the desert type.

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

SEPTEMBER 16, 1947.

[F. R. Doc. 47-8589; Filed, Sept. 22, 1947; 8:47 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

[Gen. Order 2, Supp. 13, Amdt. 3, WSA Function Series]

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE UNITED STATES MARITIME COMMISSION

UNIFORM SUGAR CHARTER

Section 303.1 *Uniform sugar charter* is amended by striking out the last sentence in the first paragraph of article 6 in the charter form prescribed by paragraph (e), and inserting in lieu thereof the following:

Stevedores for discharging shall be appointed by the charterer and vessel will allow to the charterer, for discharging, no more than the following rates per ton of 2240 pounds, gross landed weight:

At Boston, New York, Philadelphia and Baltimore.....	\$1.33
Savannah.....	1.23
New Orleans, Galveston, Texas City.....	1.33

This amendment cancels and supercedes General Order 2, Supplement 13, Amendment 1, and shall be effective with respect to all contracts entered into five days after the date of publication in the FEDERAL REGISTER.

It is necessary in order to properly compensate stevedoring contractors and inasmuch as fixtures for loadings that will become October 1947 arrivals must be made immediately in order to cover the increased stevedoring costs it is found upon good cause that the notice and public procedure under the Administrative Procedure Act with respect to

stevedoring charges above described would be contrary to the public interest and that the foregoing amendment should be made effective less than 30 days after publication.

(Secs. 1, 2, Pub. Law 6, 80th Cong., sec. 1, Pub. Law 127, 80th Cong.)

By order of the United States Maritime Commission.

[SEAL]

A. J. WILLIAMS,
Secretary.

SEPTEMBER 19, 1947.

[F. R. Doc. 47-8665; Filed, Sept. 22, 1947;
10:26 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 11—ESTABLISHMENT, ETC., OF NATIONAL WILDLIFE REFUGES

HAVASU LAKE NATIONAL WILDLIFE REFUGE

CROSS REFERENCE: For order affecting the tabulation contained in § 11.1, see Public Land Order 409 under Title 43, *supra*, concerning lands subject to the withdrawal made by Executive Order 8647, establishing the Havasu Lake National Wildlife Refuge.

farms for the 1943-44 marketing year for establishing 1948 allotments for new farms (farms on which no tobacco was produced in the last five years)

A public hearing will be held in the auditorium of the Austin Peay State College, Clarksville, Tennessee, October 15, 1947, at 9:00 a. m. (c. s. t.) for the purpose of considering the amount of national marketing quotas and for considering the provisions of the regulations to be issued governing the establishment of farm acreage allotments and normal yields for marketing quotas to be in effect for fire-cured and dark air-cured tobacco during the 1948-49 marketing year. The principal matters for consideration at the hearing relate to (1) the size of the national marketing quotas, (2) whether the regulations should provide for the maximum 5 per centum acreages for allotment to old and new farms or whether lesser acreages should be allotted and, if so, the respective amounts, and (3) the provisions of the regulations stating the conditions under which 1948 allotments for old farms will be adjusted with the acreage made available for that purpose and the conditions which will apply to the establishment of 1948 allotments for new tobacco farms.

Prior to the proclamation of the national marketing quotas and the issuance of the regulations, consideration will be given to any data, views, and recommendations pertaining thereto which are presented at the hearing or which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than October 17, 1947.

Issued at Washington, D. C., this 17th day of September 1947.

[SEAL]

RALPH S. TRIGG,
Acting Administrator

[F. R. Doc. 47-8660; Filed, Sept. 22, 1947;
8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 7261]

FIRE-CURED AND DARK AIR-CURED TOBACCO

NOTICE OF HEARING WITH RESPECT TO NATIONAL MARKETING QUOTAS AND ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR 1948-49 MARKETING YEAR

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. and Supp. 1312, 1313) the Secretary of Agriculture is preparing to proclaim the amount of the national marketing quotas and to formulate regulations governing the establishment of farm acreage allotments and normal yields for marketing quotas to be in effect during the 1948-49 marketing year for fire-cured and dark air-cured tobacco.

Public Law 163, 79th Congress (59 Stat. 506) requires that marketing quotas be proclaimed on fire-cured and dark air-cured tobacco for the 1948-49 marketing

year. In referenda held on October 20, 1945, growers of fire-cured and dark air-cured tobacco voted in favor of marketing quotas for the marketing years 1946-47 through 1948-49 by a percentage of 90.8 (10 F. R. 14812) in the case of fire-cured tobacco and 96.1 (10 F. R. 14812) in the case of dark air-cured tobacco.

The act provides that the amount of the national marketing quota shall be that quantity of tobacco which will make available during the marketing year a supply of tobacco equal to the reserve supply level. Public Law 163 provides that farm acreage allotments for the 1948-49 marketing year shall be increased or decreased in the ratio which the national marketing quota for the 1943-44 marketing year bears to the amount of tobacco which the Secretary determines to be required to make the carry-over at the beginning of the marketing year equal the reserve supply level. This law authorizes an acreage not in excess of 5 per centum of the total acreage allotted to all farms in each State for the 1943-44 marketing year for adjusting 1948 acreage allotments for old farms and an additional acreage not in excess of 5 per centum of the acreage allotted to all

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order CE 403]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN OHIO, MINNESOTA, NEBRASKA, MICHIGAN, INDIANA, AND IOWA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was

a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of

the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Martha Guthrie Van Leeuwen	Holland	Item 1 Trust under the will of Charles L. Doughty, deceased. Estate No. 119632, Probate Court, Hamilton County, Ohio.	\$210.00
Margit Skaaden	Norway	Item 2 Estate of Carl R. Johnson, deceased. Probate Court, Hennepin County, State of Minnesota.	21.00
Olof Melvin Rosten	Norway	Item 3 do.	21.00
Genovefa Michalowsky	Union of Soviet Socialist Republics	Item 4 Estate of Kapitan Michalowsky, deceased. Probate Court, Summit County, Ohio. No. 42335.	24.00
Anthony Michalowsky	Union of Soviet Socialist Republics	Item 5 do.	24.00
Margaret (Margarete) Stobbe	Poland	Item 6 Estate of Hermann Stobbe, deceased. In County Court of Fillmore, Nebr.	7.00
Elsie (Lizzie) Franz-Stobbe	Poland	Item 7 do.	24.00
Nad Hildegard Kerber	Poland	Item 8 do.	47.00
Martha (Marto) Stobbe	Poland	Item 9 do.	7.00
Maria Stobbe	Poland	Item 10 do.	7.00
Johanna Stobbe Balzer	Poland	Item 11 do.	7.00
Mrs. Elsie Stobbe Plenert	Poland	Item 12 do.	7.00
Richard Stobbe	Danzig	Item 13 do.	7.00
Abraham Montezinos Klara Montezinos and Hanna Montezinos	Holland Belgium Holland	Item 14 Estate of Josef Montezinos, deceased. (Ancillary administration) Probate Court, Wayne County, Detroit, Mich.; No. 368,186.	125.00
Francesca Bongiovanni Battaga	Italy	Item 15 Estate of Fred Bongiovanni, deceased. Circuit Court of Vermillion County, Ind.	23.00
Ida Bongiovanni	Italy	Item 16 do.	11.00
Enrico Bongiovanni	Italy	Item 17 do.	11.00
Enrico Vaira	France	Item 18 do.	11.00
Pietro Vaira	France	Item 19 do.	11.00
Issue of Frank O. McLaughlin	France	Item 20 Estate of Catherine Moore, deceased. Probate Court, Wayne County, Detroit, Mich.; file No. 128569.	40.00
Giselda Davani	Italy	Item 21 Estate of Ubaldo Davani, deceased. Probate Court, Mahoning County, Ohio; No. 31991.	15.00
Albina Davani	Italy	Item 22 do.	15.00
Rose Kucinski	Poland	Item 23 Estate of Kazmierz Kucinski, also known as Casimer Kucinski, deceased. Probate Court, Lucas County, Ohio; 41732.	53.00
Catherine Kucinski or heirs	Poland	Item 24 do.	53.00
Chrsten Jensen Holmgaard	Denmark	Item 25 Elsie G. Ebanahan, and others vs. Svend Christen Rytter Hansen, and others. District Court of Iowa in and for Shelby County.	11.00
Anna Petersen	Denmark	Item 26 do.	11.00
Svend Christen Rytter Hansen	Denmark	Item 27 do.	5.00
Oluf Rytter Hansen	Denmark	Item 28 do.	5.00
Karl Hansen	Denmark	Item 29 do.	5.00
Karen Kirstine Hansen	Denmark	Item 30 do.	5.00
Erik Hansen	Denmark	Item 31 do.	5.00
Hans Rytter Hansen	Denmark	Item 32 do.	5.00
Christen Norkjar Holmgaard	Denmark	Item 33 do.	5.00

EXHIBIT A--Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Erik Holmgaard.....	Denmark <i>Item 34</i>	Elsie G. Shanahan, and others vs. Svend Christen Rytter Hansen, and others. District Court of Iowa in and for Shelby County.	\$5.00
Svend Gerhardt Holmgaard.....	Denmark <i>Item 35</i>	do.....	5.00
Elsie Oline Holmgaard.....	Denmark <i>Item 36</i>	do.....	5.00
Anna Holmgaard.....	Denmark <i>Item 37</i>	do.....	5.00
Marie Kirstine Holmgaard.....	Denmark <i>Item 38</i>	do.....	5.00
Claus Holmgaard.....	Denmark <i>Item 39</i>	do.....	5.00

[F. R. Doc. 47-8618; Filed, Sept. 22, 1947; 8:50 a. m.]

[Vesting Order CE 406]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9783, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in con-

nection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said

actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Panichi Piani Ghilli.....	Italy <i>Item 1</i>	Estate of Santi Passerini, deceased. Surrogate's Court, Passaic County, Paterson, N. J.	\$35.00
Panichi Palestina.....	Italy <i>Item 2</i>	do.....	35.00
Giuliano Dell'Aluto.....	Italy <i>Item 3</i>	do.....	18.00
Giampaolo Dell'Aluto.....	Italy <i>Item 4</i>	do.....	19.00
Stefan Bajko.....	Poland <i>Item 5</i>	Estate of Anna Nowak, deceased. Essex County Orphan's Court, Essex County Courthouse, Newark, N. J.	22.00
Sophia Jania.....	Poland <i>Item 6</i>	do.....	22.00
Carmine De Simone.....	Italy <i>Item 7</i>	Estate of Gaetano De Simone, deceased. Passaic County Surrogate's Court, Passaic County Courthouse, Paterson, N. J.	49.00
Carmine De Simone.....	Italy <i>Item 8</i>	do.....	49.00
Wojciech Kopel.....	Poland <i>Item 9</i>	Estate of Jan Kopel, deceased. Surrogate's Court, Passaic County, N. J.	7.00
Vincent Kopel.....	Poland <i>Item 10</i>	do.....	7.00
Julia Kopel.....	Poland <i>Item 11</i>	do.....	7.00
Stanley Kopel.....	Poland <i>Item 12</i>	do.....	7.00
Anthony Kopel.....	Poland <i>Item 13</i>	do.....	7.00
Hanna Dubecky.....	Poland <i>Item 14</i>	Estate of David Simon, deceased. Mercer County Orphans' Court, Mercer County Courthouse, Trenton, N. J.	22.00
Chayah Zilberblatt.....	Poland <i>Item 15</i>	do.....	22.00
Children of Sarah Rosenthal.....	Poland <i>Item 16</i>	do.....	11.00

[F. R. Doc. 47-8621; Filed, Sept. 22, 1947; 8:50 a. m.]

[Vesting Order OE 405]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WASHINGTON, IDAHO, AND CALIFORNIA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in con-

nection with representing each of said persons in the court of administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said

actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Hubert Ortner or Johann Kraner and Johanna Kraner.	Austria. <i>Item 1</i>	In the matter of the estate of Florian Kraner, deceased. In the Superior Court, State of Washington, in and for the County of Snohomish; No. 15709.	\$70.00
Josef Buxbaum. Heirs within Austria of John Buxbaum.	Austria. <i>Item 2</i>	In the matter of the estate of John Buxbaum, deceased. In the Superior Court, State of Washington, for the County of King; No. 87093.	25.00
Pasquale Fontana.	Italy. <i>Item 3</i>	Estate of Caddio Fontana, deceased, in and for the County of Shoshone, Probate Court, State of Idaho.	143.00
Olinto Polloni.	Italy. <i>Item 4</i>	Estate of Italo Polloni, also known as Italo Polloni, deceased, in the Superior Court of the State of California, in and for the County of San Mateo; No. 8000.	1.75
Carlotta Polloni.	Italy. <i>Item 5</i>	do.	8.75
Maria Polloni.	Italy. <i>Item 6</i>	do.	8.75
Heirs of Giuseppe Polloni, deceased.	Italy. <i>Item 7</i>	do.	8.75
Marie Kriegl.	Austria. <i>Item 8</i>	In the matter of the estate of Otto Kriegl, deceased. In the Superior Court of the State of California, in and for the County of Los Angeles; No. 22035.	13.00
Anne Kriegl.	Austria. <i>Item 9</i>	do.	13.00
Juliana Kriegl.	Austria. <i>Item 10</i>	do.	13.00
Abraham Faifitz.	Russia. <i>Item 11</i>	In the matter of the estate of Aaron L. Fate, deceased. In the Superior Court of the State of California, in and for the City and County of Los Angeles; No. 22033.	14.00
Montya Faifitz.	Russia. <i>Item 12</i>	do.	14.00
Rafael Faifitz.	Russia. <i>Item 13</i>	do.	14.00
Wilf Faifitz.	Russia. <i>Item 14</i>	do.	14.00
Leah Faifitz.	Russia. <i>Item 15</i>	do.	14.00
Maria Talentino.	Italy. <i>Item 16</i>	Estate of Giuseppe Crestetto, deceased. In the Superior Court of the State of California, County of Los Angeles; No. 22091.	57.00
Fleanora Machello.	Italy. <i>Item 17</i>	do.	11.00
Maggiarino Crestetto.	Italy. <i>Item 18</i>	do.	11.00
Domenico Crestetto.	Italy. <i>Item 19</i>	do.	11.00
Pietro Quaresima.	Italy. <i>Item 20</i>	In the matter of the estate of Giuseppe Quaresima, also known as Joseph Quaresima, also known as Joe Quaresima, deceased. In the Superior Court of the State of California, in and for the County of San Mateo; No. 10016.	83.00
Celeste Quaresima.	Italy. <i>Item 21</i>	do.	83.00
Franz Kosak.	Austria. <i>Item 22</i>	In the matter of the estate of Konstantin Wunderlich, deceased. In the Superior Court of the State of California, in and for the County of Los Angeles; No. 21833.	99.00
Mariantonia Sculco.	Italy. <i>Item 23</i>	In the matter of the estate of John Sculco, also known as John Sculco, deceased. In the Superior Court of the State of California, in and for the City and County of San Francisco; No. 6047.	55.00

[Vesting Order CE 407]

COSTS AND EXPENSES INCURRED IN CERTAIN
ACTIONS OR PROCEEDINGS IN CERTAIN
ILLINOIS COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in con-

nection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said

actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Salvatore Pellegrino.....	Italy..... <i>Item 1</i>	Estate of Antomo Pellegrino, deceased. Probate Court, Cook County, Chicago, Ill., No. 42-P-7797, docket 416, page 569.	\$34.00
Vittoria Pellegrino.....	Italy..... <i>Item 2</i>	do.....	34.00
Osea Evangelina Lotti Rinaldi.....	Italy..... <i>Item 3</i>	Estate of Julius Benvenuti, deceased. Probate Court, Cook County, Chicago, Ill., File No. 45-P-1505, docket 439, page 56.	135.00
Madalena Massa Grillo.....	Italy..... <i>Item 4</i>	Estate of Aurelia Massa, alias Nellie Massa, deceased. Probate Court, Cook County, Chicago, Ill., Docket 423, page 351, file No. 43-P-5021.	110.00
Heirs, names unknown, of Antonio Massa.....	Italy..... <i>Item 5</i>	do.....	110.00
Heirs, names unknown, of Marina Massa Longinotti, deceased.....	Italy..... <i>Item 6</i>	do.....	110.00
Heirs, names unknown, of Catharina Massa Grillo, deceased.....	Italy..... <i>Item 7</i>	do.....	110.00
Heirs, names unknown, of Rosina Massa Luchetti, deceased.....	Italy..... <i>Item 8</i>	do.....	110.00
Athanasios J. Leonardos.....	Greece..... <i>Item 9</i>	Estate of Gust Leonardos, deceased. Probate Court, Madison County, Ill.....	11.00
Vasilike Stamatopoulou.....	Greece..... <i>Item 10</i>	do.....	11.00
Angeliko Kampannelou.....	Greece..... <i>Item 11</i>	do.....	11.00
Maria Leonardos.....	Greece..... <i>Item 12</i>	do.....	5.00
Angelos Leonardos.....	Greece..... <i>Item 13</i>	do.....	5.00
Nikolaos Leonardos.....	Greece..... <i>Item 14</i>	do.....	5.00

[F. R. Doc. 47-8622; Filed, Sept. 22, 1947; 8:51 a. m.]

[Vesting Order CE 404]

COSTS AND EXPENSES INCURRED IN CERTAIN
ACTIONS OR PROCEEDINGS IN CERTAIN
MINNESOTA, NORTH DAKOTA, MISSOURI,
AND NEBRASKA COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column

3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property.

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt

with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
		<i>Item 1</i>			
Kristie Stovern	Norway	Estate of Helga Hansen, deceased. Probate Court of Otter Tail County, Minn.	\$171.00	Mr. M. A. Banetel, administrator, Battle Lake, Minn.	\$5.00
Olaf Stovern	do.	<i>Item 2</i>	171.00	do.	5.00
Bjarne Stovern	do.	<i>Item 3</i>	171.00	do.	5.00
Magnus Stovern	do.	<i>Item 4</i>	171.00	do.	5.00
Knut Halvard Stovern	do.	<i>Item 5</i>	171.00	do.	5.00
Einar Stovern	do.	<i>Item 6</i>	171.00	do.	5.00
Rolf Stovern	do.	<i>Item 7</i>	171.00	do.	5.00
Gunnar Timan Stovern	do.	<i>Item 8</i>	171.00	do.	5.00
Kristoffer Stovern	do.	<i>Item 9</i>	171.00	do.	5.00
		<i>Item 10</i>			
Olga Schulz	Poland	Estate of Frank Balzer, deceased. County Court of Sheridan County, McClusky, North Dakota, Case No. 613.	1,757.03	County treasurer of Sheridan County, McClusky, N. Dak.	17.00
Laura Balzer	do.	<i>Item 11</i>	1,757.03	do.	17.00
Erna Balzer	do.	<i>Item 12</i>	1,757.03	do.	17.00
		<i>Item 13</i>			
Pastor of Catholic Church at Hilden, Germany.	Germany	Estate of Frederick Krav, deceased. Probate Court, St. Louis County, Mo. No. 15903.	299.09	Mercantile-Commerce Bank and Trust Co., St. Louis, Mo.	17.00
Pastor of Catholic Church at Ohligs, Germany.	do.	<i>Item 14</i>	299.09	do.	17.00
Pastor of Catholic Church at Immigrath, Germany.	do.	<i>Item 15</i>	299.09	do.	17.00
		<i>Item 16</i>			
Anders O. Moen	Norway	Estate of Ole Kvernnes, also known as Ole P. Kvernnes, deceased. Probate Court, Hennepin County, State of Minnesota.	1,103.23	Royal Norwegian Consul, Minneapolis, Minn.	8.00
Bersvein Moen	do.	<i>Item 17</i>	1,103.23	do.	8.00
Asmund Moen	do.	<i>Item 18</i>	1,103.23	do.	8.00
Maren Bredin	do.	<i>Item 19</i>	1,103.23	do.	8.00
Ottar Nyberget	do.	<i>Item 20</i>	173.04	do.	5.00
Aslaug Oien	do.	<i>Item 21</i>	173.04	do.	5.00
Oline Roneseater	do.	<i>Item 22</i>	173.04	do.	5.00
Torleif Nyberget	do.	<i>Item 23</i>	173.04	do.	5.00
Karl Nyberget	do.	<i>Item 24</i>	173.04	do.	5.00
Klaus Nyberget	do.	<i>Item 25</i>	173.04	do.	5.00
Tordis Nyberget	do.	<i>Item 26</i>	173.04	do.	5.00
		<i>Item 27</i>			
Soren Severinsen	Denmark	Estate of J. A. Swenson, deceased. In County Court of Cuming County, State of Nebraska.	1,215.03	Clerk of Cuming County Court, West Point, Nebr.	13.00
Martha Christensen	do.	<i>Item 28</i>	1,215.03	do.	14.00
Kristian Severinsen	do.	<i>Item 29</i>	1,215.03	do.	14.00

[Vesting Order 9711]

ERNA BALZER ET AL.

In re: Debt owing to Erna Balzer, Laura Balzer, Olga Balzer Schulz, Anna Jasgar Durst, Marie Jasgar Herzog, Klara Jasgar, Sophie Jasgar Jasnack, and Stanislaus Jasgar. D-28-7530-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Erna Balzer, Laura Balzer, Olga Balzer Schulz, Anna Jasgar Durst, Marie Jasgar Herzog, Klara Jasgar, Sophie Jasgar Jasnack, and Stanislaus Jasgar, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of F P Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Franz Balzer, deceased, in the amount of \$60.00, as of May 19, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Erna Balzer, Laura Balzer, Olga Balzer Schulz, Anna Jasgar Durst, Marie Jasgar Herzog, Klara Jasgar, Sophie Jasgar Jasnack, and Stanislaus Jasgar, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are

not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 47-8602; Filed, Sept. 22, 1947;
8:48 a. m.]

[Return Order 50]

ANEMOSTAT CORP. OF AMERICA

Having considered the claim set forth below and having approved the decision of the hearing examiner allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property described below and in the decision, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for conservatory expenses:

Claimant and claim No.	Notice of intention to return published	Property
Anemostat Corporation of America, New York, N. Y., claim No. A-404.	July 26, 1947 (12 F. R. 5060).	Property described in Vesting Order No. 201 (8 F. R. 625, Jan. 16, 1943) relating to United States Letters Patent No. 1,982,747.

This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on September 17, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8623; Filed, Sept. 22, 1947;
8:51 a. m.]

[Vesting Order 9716]

WILHELM HEUER ET AL.

In re: Debts owing to Wilhelm Heuer, Elfriede Moeller, Fritz Moeller, Marta

tionals in the estate of Fred Heuer, deceased, in the amount of \$113.90, as of May 19, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Wilhelm Heuer, Elfriede Moeller, Fritz Moeller, Marta Schaelz, Hermine Scheibner Waschan, and Mariechen Scheibner Carstens, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F R. Doc. 47-8603; Filed, Sept. 22, 1947;
8:48 a. m.]

[Vesting Order 9717]

ANNA HOELLEIN ET AL.

In re: Debt owing to Anna Hoellein, Emmy Lesch, Rosa Reichel, Anna Steitz, Ludwig Goetz, Martha Gelling, Frieda Lesch, Martha Doetsch, Ernst Grassmuck, Carl Grassmuck, Walter Goetz, Hedwig Grassmuck, Frieda Grassmuck, Ortrud Albrecht, Helene Goetz. D-28-11854-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Hoellein, Emmy Lesch, Rosa Reichel, Anna Steitz, Ludwig Goetz, Martha Gelling, Frieda Lesch, Martha Doetsch, Ernst Grassmuck, Carl Grassmuck, Hedwig Grassmuck, Walter Goetz, Frieda Grassmuck, Ortrud Albrecht, and Helene Goetz, whose last known addresses are Germany, are residents of

Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of F. P. Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Martha Goetz, deceased, in the amount of \$2,265.66, as of May 10, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Hoellein, Emmy Lesch, Rosa Reichel, Anna Steitz, Ludwig Goetz, Martha Geiling, Frieda Lesch, Martha Doetsch, Ernst Grassmuck, Carl Grassmuck, Hedwig Grassmuck, Walter Goetz, Frieda Grassmuck, Ortrud Albrecht, and Helene Goetz, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8604; Filed, Sept. 22, 1947;
8:48 a. m.]

[Vesting Order 9718]

ALWINE BAAS JACOBS ET AL.

In re: Debt owing to Alwine Baas Jacobs, Alfred Jacobs, Adele Jacobs Poehls, Olga Bull Fabke, Alma Boeckenaauer, Bruno Carstens and Heinz Carstens. D-28-11855-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alwine Baas Jacobs, Alfred Jacobs, Adele Jacobs Poehls, Olga Bull Fabke, Alma Boeckenaauer, Bruno Carstens and Heinz Carstens, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of F. P. Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Carl Baas, deceased, in the amount of \$64.04, as of May 10, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Alwine Baas Jacobs, Alfred Jacobs, Adele Jacobs Poehls, Olga Bull Fabke, Alma Boeckenaauer, Bruno Carstens and Heinz Carstens, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8605; Filed, Sept. 22, 1947;
8:48 a. m.]

[Vesting Order 9721]

EMMA KRUSE ET AL.

In re: Debt owing to Emma Kruse, Erna Lassen and Gertrud Kuhr. D-28-11898-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emma Kruse, Erna Lassen and Gertrud Kuhr, whose last known addresses are Germany are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of F. P. Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Peter C. Molzen, deceased, in the amount of \$188.80, as of May 26, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Emma Kruse, Erna Lassen and Gertrud Kuhr, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8606; Filed, Sept. 22, 1947;
8:48 a. m.]

[Vesting Order 9722]

LILI LINDEMANN ET AL.

In re: Debt owing to Lili Lindemann, also known as Luise Lindemann, Helene Weber, Marie Gildemeister, Ernst Bauck, and Paula Wiese. D-28-7844-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lili Lindemann, also known as Luise Lindemann, Helene Weber, Marie Gildemeister, Ernst Bauck and Paula

Wiese, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of F P Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Edward Stolterfoht, deceased, in the amount of \$98.78, as of May 23, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Lili Lindemann, also known as Luse Lindemann, Helene Weber, Marie Gildemeister, Ernst Bauck, and Paula Wiese, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-8607; Filed, Sept. 22, 1947;
8:48 a. m.]

[Vesting Order 9724]

EMILIE NESTEL ET AL.

In re: Debt owing to Emilie Nestel, Meta Albrecht, August Albrecht, Max Mahl, Rosa Schairer, Oscar Mahl, Hedwig Albrecht, and Wilhelm Wolf. D-28-11859-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emilie Nestel, Meta Albrecht, August Albrecht, Max Mahl, Rosa Schairer, Oscar Mahl, Hedwig Albrecht, and Wilhelm Wolf, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of F P Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Carl Trick, deceased, in the amount of \$90.00, as of May 10, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Emilie Nestel, Meta Albrecht, August Albrecht, Max Mahl, Rosa Schairer, Oscar Mahl, Hedwig Albrecht, and Wilhelm Wolf, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-8608; Filed, Sept. 22, 1947;
8:49 a. m.]

[Vesting Order 9725]

MAX SCHMIDT ET AL.

In re: Debt owing to Max Schmidt, Paul Schmidt, Emil Schmidt, Bertha Hagen Schmidt, Marie Schulze Schmidt, and Martha Bansemer Schmidt. D-28-11871-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Max Schmidt, Paul Schmidt, Emil Schmidt, Bertha Hagen Schmidt, Marie Schulze Schmidt, and Martha Bansemer Schmidt, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of F P Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Emil Schmidt, deceased, in the amount of \$289.00, as of May 19, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Max Schmidt, Paul Schmidt, Emil Schmidt, Bertha Hagen Schmidt, Marie Schulze Schmidt, and Martha Bansemer Schmidt, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-8609; Filed, Sept. 22, 1947;
8:49 a. m.]

[Vesting Order 9727]

ANNA STEIN ET AL.

In re: Debt owing to Anna Stein, Hans Suesser, Alfred Suesser, Marie Zuber, Clara Schneider, Margarete Suesser, and Carl Suesser. D-28-11897-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Stein, Hans Suesser, Alfred Suesser, Marie Zuber, Clara Schneider, Margarete Suesser, and Carl Suesser, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of F. P. Anderwald, as Liquidating Agent for Mannhardt and von Helmolt, 77 West Washington Street, Chicago 2, Illinois, representing the distributive share of the aforesaid nationals in the estate of Louise Mayer, also known as Louise Fesmayer, deceased in the amount of \$172.51, as of May 26, 1947, presently on deposit in the First National Bank of Chicago, Chicago, Illinois, in an account entitled Mannhardt and von Helmolt B Account, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Anna Stein, Hans Suesser, Alfred Suesser, Marie Zuber, Clara Schneider, Margarete Suesser, and Carl Suesser, the aforesaid nationals of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 25, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8610; Filed, Sept. 22, 1947; 8:49 a. m.]

[Vesting Order 9738]

M. BOLLE

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of M. Bolle, also known as Marianne Bolle, deceased. F-28-23711-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of M. Bolle, also known as Marianne Bolle, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of a current account, entitled Miss M. Bolle, deceased, maintained with the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of M. Bolle, also known as Marianne Bolle, deceased, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of M. Bolle, also known as Marianne Bolle, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8611; Filed, Sept. 22, 1947; 8:49 a. m.]

[Vesting Order 9739]

JOHAN FAULHABER

In re: Bank account owned by Johan Faulhaber. F-28-878-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johan Faulhaber, whose last known address is Wittemberg, Germany,

is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: That certain debt or other obligation of Central Savings Bank, in the City of New York, 2100 Broadway, New York 23, N. Y., arising out of a Savings Account, Account Number 193,239, entitled Marie Nelson in trust for Johan Faulhaber, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Johan Faulhaber, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8612; Filed, Sept. 22, 1947; 8:49 a. m.]

[Vesting Order 9740]

KRESZENZ CHRISTL HOLZAPFEL

In re: Debt owing to Kreszenz Christl Holzapfel. F-28-23680-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kreszenz Christl Holzapfel, whose last known address is Augsburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Kreszenz Christl Holzapfel, by Anna Schmid, 314 Schaeffer Street, Brooklyn, New York, in the amount of \$1,014.00, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8613; Filed, Sept. 22, 1947;
8:49 a. m.]

[Vesting Order 9743]

S. N. MUNETSUGU

In re: Debts owing to S. N. Munetsugu, also known as S. Munetsugu and S. N. Munetsuga.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That S. N. Munetsugu, also known as S. Munetsugu and S. N. Munetsuga, whose last known address is Kobe, Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. That certain debt or other obligation evidenced by a check drawn by Hugh A. McPherson, Receiver of the Pontiac Commercial and Savings Bank, Pontiac, Michigan, on the Community National Bank of Pontiac, payable to S. N. Munetsugu, Numbered S 8371, dated October 5, 1939, in the amount of \$46.20, and presently in the custody of the Attorney General of the United States in Account Number 39-200-129, entitled S. N. Munetsugu, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under the aforesaid check, and

b. Those certain debts or other obligations evidenced by three checks drawn on

the Community National Bank of Pontiac, payable to the order of S. N. Munetsugu, and in the amounts of \$11.55, \$17.33 and \$22.18, and presently in the custody of the County Clerk of Oakland County, Pontiac, Michigan, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, S. N. Munetsugu, also known as S. Munetsugu and S. N. Munetsuga, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8614; Filed, Sept. 22, 1947;
8:50 a. m.]

[Vesting Order 9744]

- ANNA OLDEHUUS ET AL.

In re: Debt owing to Anna Oldehuus, Maria Schwartz, Auguste Nagel, Anna Nagel, Catharina Beckman, Margreta Zech and Anne Stempfle. D-28-1531-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Oldehuus, Maria Schwartz, Auguste Nagel, Anna Nagel, Catharina Beckman, Margreta Zech and Anne Stempfle, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That property described as follows: That certain debt owing to Anna Oldehuus, Maria Schwartz, Auguste Nagel, Anna Nagel, Catharina Beckman, Mar-

greta Zech and Anne Stempfle by Otto A. Hoecker, 1808 Russ Building, San Francisco, California, in the amount of \$13,592.12, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8615; Filed, Sept. 22, 1947;
8:50 a. m.]

[Vesting Order 9747]

ERNST SELIGMAN

In re: Stock owned by Ernst Seligman. F-28-5600-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Seligman, whose last known address is Mullerstrasse 46, Munchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That property described as follows: Twenty (20) shares of \$5.00 par value common capital stock of Minnesota and Ontario Paper Company, 500 Baker Arcade Building, Minneapolis, Minnesota, a corporation organized under the laws of the State of Minnesota, evidenced by a certificate numbered C010742, registered in the name of Ernst Seligman, and presently in the custody of The First National Bank of Chicago, 38 South Dearborn Street, Chicago 90, Illinois, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 28, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8616; Filed, Sept. 22, 1947;
8:50 a. m.]

[Vesting Order 9768]

ANNAMARIE KIRCHOFF SCHMIDT

In re: Stock owned by Annamarie Kirchoff Schmidt, also known as Annemarie Kirchoff Schmidt. F-28-566-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Annamarie Kirchoff Schmidt, also known as Annemarie Kirchoff Schmidt, whose last known address is 58 Hochallee, Hamburg 13, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Two hundred and fifty (250) shares of \$25.00 par value capital stock of Schmidt Lithograph Company, 461-499 Second Street, San Francisco 7, California, evidenced by certificates numbered 140 for one hundred and twenty-five (125) shares and 422 for one hundred and twenty-five (125) shares, registered in the name of Annamarie Kirchoff Schmidt, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 4, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 47-8617; Filed, Sept. 22, 1947;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

MODIFYING NEVADA GRAZING DISTRICT NO. 5

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269) as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315 et seq.) and subject to the limitations and conditions therein contained, Nevada Grazing District No. 5 is modified by eliminating therefrom the following-described land:

NEVADA

MOUNT DIABLO MERIDIAN

T. 21 S., R. 62 E.
Sec. 26, SE $\frac{1}{4}$
Sec. 28, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

The area described aggregates 280 acres.

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

AUGUST 15, 1947.

[F. R. Doc. 47-8587; Filed, Sept. 22, 1947;
8:48 a. m.]

[Misc. 2090671]

ALASKA

SHORE SPACE RESTORATION NO. 394

SEPTEMBER 15, 1947.

Pursuant to the provisions of the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372) and in accordance with 43 CFR § 4.275 (56) (Departmental Order No. 2325 of May 24, 1947, 12 F. R. 3566), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the 80-rod shore space reserve created

under the act of May 14, 1898 (30 Stat. 409) as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371) is hereby revoked as to the following described land:

SEWARD MERIDIAN

T. 3 N., R. 12 W., sec. 24, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described contains 40 acres.

FRED W. JOHNSON,
Director

[F. R. Doc. 47-8593; Filed, Sept. 22, 1947;
8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2143]

REEVE AIRWAYS; ALEUTIAN ISLAND ROUTE

NOTICE OF ORAL ARGUMENT

In the matter of the application of Robert C. Reeve, an individual doing business as Reeve Airways, for a certificate of public convenience and necessity or exemption order, under section 401 and/or section 416 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on September 30, 1947, at 10 a. m. (eastern standard time) in Room 5042, Commerce Building, 14th Street and Constitution Ave. NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 15, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-8624; Filed, Sept. 22, 1947;
8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 763, Special Permit 2]

SHIPMENT OF RUBBER FOOTWEAR AND RUBBER ARTICLES FROM WOONSOCKET, R. I., BOSTON, MASS., BEACON FALLS AND NAUGATUCK, CONN., AND MISHAWAKA, IND.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6038) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 769 insofar as it applies to the shipment of rubber footwear and other rubber articles, subject to a minimum of 20,000 lbs. or less in Consolidated Freight Classification, by U. S. Rubber Co. from the following origins: Woonsocket, R. I., Boston, Mass., Beacon Falls and Naugatuck, Conn., also Mishawaka, Ind.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car

service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September, 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-8593; Filed, Sept. 22, 1947;
8:48 a. m.]

[S. O. 769, Special Permit 3]

SHIPMENT OF LUMBER FROM GALVIN AND TACOMA, WASH.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 769 insofar as it applies to the shipment of lumber from Galvin and Tacoma, Wash. for stop off to complete loading at Oregon points by Coons & Wasser.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September, 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-8594; Filed, Sept. 22, 1947;
8:47 a. m.]

[S. O. 769, Special Permit 4]

SHIPMENT OF LUMBER FROM TACOMA, WASH.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 769 insofar as it applies to the shipment of lumber from Tacoma, Wash. by the Wheeler Osgood Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement un-

der the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-8595; Filed, Sept. 22, 1947;
8:47 a. m.]

[S. O. 769, Special Permit-5]

SHIPMENT OF ELECTRIC INCANDESCENT LAMPS FROM CLEVELAND, WARREN, AND YOUNGSTOWN, OHIO

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph of Service Order No. 769 (12 F. R. 6088) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 769 insofar as it applies to the shipment of electric incandescent lamps and glass bulbs incandescent electric lamp without metal fittings by General Electric Co. from Cleveland, Warren and Youngstown, Ohio.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 16th day of September 1947.

HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 47-8596; Filed, Sept. 22, 1947;
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-155, 54-9, 59-2]

AMERICAN GAS AND ELECTRIC CO. ET AL.

MEMORANDUM OPINION AND ORDER GRANTING APPLICATION AND RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September A. D. 1947.

In the matter of American Gas and Electric Company, File No. 54-155; American Gas and Electric Company, Atlantic City Electric Company, Deepwater Operating Company, South Penns-

grove Realty Company, File Nos. 54-9 and 59-2.

On April 7, 1947, the Commission issued its order approving a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by American Gas and Electric Company ("American Gas") a registered holding company, which plan provided, among other things, for the disposition of the interest of American Gas in Atlantic City Electric Company ("Atlantic City"), through the sale at competitive bidding of 522,416 shares of the common stock of the latter company and the disposition of the remaining 627,584 shares of such stock owned by American Gas as dividends to the common stockholders of American Gas commencing with the dividend date June 15, 1947 and terminating with the dividend date December 15, 1948. (American Gas and Electric Co., et al., — S. E. C. — (1947), Holding Company Act Release No. 7335)

On April 8, 1947, in accordance with the authorization granted by our order of April 7, 1947, American Gas publicly invited competitive bids to be submitted on April 15, 1947 for the purchase of said 522,416 shares of the common stock of Atlantic City. Three underwriting syndicates qualified with the company in accordance with the invitation for bids. On April 14, 1947 American Gas was informed by representatives of certain of the prospective bidding groups that the then strike in the telephone industry, together with a rather severe decline in the quotations of most securities on that date, presented difficulties to an expeditious and orderly distribution of the above-mentioned shares of the common stock of Atlantic City. Thereupon American Gas postponed indefinitely the date for submission of sealed written proposals for such shares of stock.

On May 12, 1947, pursuant to a Supplemental Order of this Commission dated May 9, 1947, American Gas advertised its intention to again request sealed written proposals for the aforementioned 522,416 shares of the common stock of Atlantic City. In response to such notice the same three groups who had qualified prior to April 14 indicated their interest as prospective purchasers. On July 17, 1947 in accordance with the procedure approved by our order of May 9, 1947, American Gas notified the prospective bidders by telegram that bids would be received on July 22, 1947. On that date American Gas received two proposals for the purchase of the said 522,416 shares of the common stock of Atlantic City. One group represented by the First Boston Corporation, Drexel & Co., Shields & Company, and White, Weld & Company submitted a bid of \$17.68 per share, and another group represented by Dillon, Read & Company, Inc. and Smith, Barney & Company submitted a bid of \$16.30 per share. American Gas, deeming the bids of both groups unsatisfactory, rejected both such bids.

Subsequent to its rejection of the bids for the purchase of the 522,416 shares of the common stock of Atlantic City, American Gas was informally authorized by us to explore the possibilities of the sale of said shares or a lesser number

of said shares through negotiation with various interested underwriting groups. American Gas has now filed an amendment setting forth the results of its efforts in this respect. This amendment proposes that American Gas sell 343,106 shares of common stock of Atlantic City in lieu of the 522,416 shares of such stock heretofore authorized, and requests that the Commission exempt the proposed sale from the competitive bidding requirements of Rule U-50. The amendment also requests that our order herein extend the time for compliance with the order of April 7, 1947 with respect to the sale of the stock of Atlantic City to and including October 4, 1947.

American Gas further requests that the Commission enter an order herein finding that the sale by American Gas of the 343,106 shares of the common stock of Atlantic City is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and that such order conform to the pertinent requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

A further public hearing having been held before this Commission we now make the following findings:

American Gas states that after discussions between it and representatives of four investment banking houses, an agreement was entered into with Union Securities Corporation as syndicate representatives with respect to the sale of the said 343,106 shares of the common stock of Atlantic City. The agreement provides that the price to be paid to the company for such stock will be \$19.05 per share and that said stock will be offered to the public at a price of \$20.075 per share, ex-dividend. The price to be paid to the company must be considered in the light of the fact that on August 28, 1947 Atlantic City declared a dividend of 30 cents per share payable to stockholders of record as of September 23, 1947. The agreement entered into

between American Gas and Union Securities Corporation contemplates that the transaction will be closed on September 23, 1947 and that the underwriters will be the stockholders of record as of the dividend date, thus making the actual compensation to the underwriters \$13.25 per share instead of the \$1.025 per share indicated above, and, in effect, making the actual price to be paid to American Gas \$18.75 per share.

It should be noted that the present proposed transaction involves 343,106 shares of the Atlantic City stock, whereas competitive bids had been invited with respect to 522,416 shares of such stock. In view of all the circumstances of the case, however, including the history of the company's efforts to effect the sale, the price to be received by the company, and the affirmative indications in the record of the company's attempts to maintain competitive conditions, we are of the opinion that the requested exemption from the competitive bidding requirements of Rule U-50 should be granted. We observe no basis for adverse findings with respect to the underwriters' spread and its allocation in connection with the sale of the stock of Atlantic City.

In our order of April 7, 1947, we found that the fees and expenses as estimated, other than legal fees, did not appear unreasonable; jurisdiction was reserved with respect to the legal fees, the record being incomplete with respect to such fees. Subsequently, additional expenses of \$14,600 were incurred, and we observe no basis for adverse findings with respect to such expenses. The fees of counsel to the company in the amount of \$20,000 for Simpson, Thacher & Bartlett,² and \$2,500 for Lloyd, Horn and Perskie and the fee of counsel for the

purchasers in the amount of \$10,000 for the firm of Winthrop, Stimson, Putnam and Roberts do not appear to be unreasonable, and we shall release jurisdiction heretofore reserved with respect to such fees.³

On the basis of the record herein we conclude that the application should be granted effective forthwith without the imposition of terms and conditions, other than those contained in Rule U-24.

Wherefore it is ordered, That the application of American Gas to extend the order of April 7, 1947 to and including October 4, 1947 be, and hereby is, granted; and

It is further ordered, That, pursuant to the applicable provisions of the act and rules thereunder, the application of American Gas with respect to the said sale of 343,106 shares of the common stock of Atlantic City be, and hereby is, granted, effective forthwith subject to the terms and conditions contained in Rule U-24; and

It is further ordered, That jurisdiction heretofore reserved over the legal fees proposed to be paid be, and the same hereby is, released; and

It is further ordered and recited, That the sale of 343,106 shares of the common stock of Atlantic City is necessary or appropriate to the integration or simplification of the holding company system of which American Gas is a member and is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-8532; Filed, Sept. 22, 1947; 8:48 a. m.]

² The fee of Simpson, Thacher and Bartlett covers all services rendered in connection with the section 11 (c) plan of American Gas heretofore approved by our order of April 7, 1947.

³ Of the fee of \$10,000 for the firm of Winthrop, Stimson, Putnam and Roberts, \$7,500 will be paid by the underwriters and \$2,500 by American Gas.

